

REMARKS

Applicants submit the above-amended claims in connection with a request for continued examination (RCE) being filed concurrently herewith. Prior pending claims 1, 3, 5-7, 11, 12, 14 and 20-31 all stand rejected in the final action of August 18, 2008. In the amendment above, claims 1, 3 and 11 have been amended; claims 7, 14, and 20-31 are canceled; and claims 32-39 are added. Accordingly, claims 1, 3, 5-6, 11-12 and 32-39 remain pending.

Support for Claim Amendments and Newly Added Claims

Independent claim 1 has been amended to define more particularly the subject matter sought to be patented. The amendment of claim 1 is being made to advance prosecution on the merits, and should not be taken as an admission that the outstanding rejections are proper. Support for the amendment may be found in the specification as filed, as follows: Amendments to the preamble may be found at least by Figure 1 and at page 3, lines 21-22. Amendments in what is now the first claim element may be found at least at page 3, lines 21-24, and page 5, lines 18-25 (with "customer churn" as described in connection with Figure 2 being an example of the claimed predefined action that the customer will take). Amendments in what is now the second claim element may be found at least at page 4, lines 8-27. Amendments in what is now the third claim element may be found at least at page 3, line 24 through page 4, line 5. Finally, amendments in what is now the fourth claim element may be found at least at page 4, line 28 through page 5, line 13.

Dependent claims 3 and 7 have been amended for consistency with claim 1 as amended. Support for the added dependent claim 32 may be found at least at page 3, lines 26-27.

New claims 33-39 are computer readable storage medium claims that correspond in general to the method claims, and as such, are also fully supported by the specification as originally filed.

Claim Rejections – 35 USC 101

Claims 1, 3, 5-7, 11, 12 and 21-31 stood rejected in the final action, although these rejections were withdrawn in the Advisory Action mailed February 5, 2009. Applicants submit that the claims as amended and those added also meet the requirements of Section 101.

Claim Rejections – 35 USC 103

Claims 1, 3, 5-7, 11, 12, 14 and 20-31 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Tamayo (US Patent App. Pub. 2002/0083067) in view of Belniak et al. (U.S. Patent No. 7,379,926). Independent claim 1 has been amended, and claims 14 and 20-31 have been canceled. Applicants respectfully submit that independent claim 1, as amended, is directed to subject matter that is patentable over Tamayo and Belniak, as do dependent claims 3, 5-7 and 11-12.

In particular, neither Tamayo nor Belniak disclose a computer-implemented method in which multiple prediction results are provided based on information as it becomes available, in the manner as it is set forth in claim 1, as amended. In particular, there is no disclosure in either Tamayo or Belniak of a computer-implemented method as recited in claim 1 in which, during the course of an interactive session between a user and a customer, an application system being used by the user sends a first request to a prediction engine to perform a first prediction determination of a probability that a customer will take a predefined action, the first request including a first input value set, and in response to the first request, the prediction engine uses the first input value set to perform the first prediction determination, electronically storing first state information generated as part of the first prediction determination, and providing to the application system for use by the human user a first prediction result of the first prediction determination, and then at a later point in time during the interactive session with the customer when additional information about the customer becomes available, the application system sends a second request to the prediction engine to perform a second prediction determination of a probability that the customer will take the predefined action, the second request including a second input value set comprising at least information available at the application system after the sending of the first request, and in response to the second request, the prediction engine uses both of the stored first state information and the second input value set to perform the second

prediction determination, the first state information being used to avoid calculations being performed in the second prediction determination that would duplicate calculations that were already performed in the first prediction determination, and providing to the application system for use by the human user a second prediction result of the second prediction determination.

The claimed method provides advantages that are not disclosed or suggested by any of the prior art of record. For example, the claimed method ensures that prediction results are provided in a timely manner to a user dealing with a customer, even though those prediction results may be not be the most accurate given they are not based on all possible information, and then updated prediction results are later provided as additional information becomes available during the customer interactive session.

Accordingly, Applicants request that the obviousness rejection of independent claim 1 be withdrawn, as well as dependent claims 3, 5-6 and 11-12 which dependent from claim 1.

New Claims 32-39

New claim 32 depends from claim 1, and therefore is allowable at least for the reasons discussed above in connection with claim 1.

New claims 33-39 are patentable at least for the reasons discussed above in connection with claim 1.

Conclusion

Applicants submit that claims 1, 3, 5-7, 11-12, and 32-39 are in condition for allowance, and request that the Examiner issue a notice of allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.


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Please charge deposit account no. 06-1050 in the amount of \$980 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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